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ATTORNEY'S DOCKET NO: D0097/7018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09/700296

Applicant: Richard B. Silberstein
Serial No: 09/700,296
Filed: November 13, 2000
For: DECENTRALIZED PATIENT MANAGEMENT SYSTEM

Assistant Commissioner for Patents
Washington, D.C. 20231

Transmitted herewith is/are the following document(s):

- ☒ [X] Assignment w/cover sheet
- ☒ [X] Declaration w/copy of Notice to File Missing Requirements
- ☒ [X] Small Entity Declaration
- ☒ [X] Request for Refund of Excess Filing Fee

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

Enclosed is a check in the amount of \$105.00 to cover the following fees: (a) \$65.00 fee for filing missing parts; and (b) \$40.00 for the assignment recordal. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Therese A. Hendricks

Therese A. Hendricks
Registration No. 30,389
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1/16/2001
Therese A. Hendricks

Docket No. D0097/7018
Dated: January 16, 2001
X1/16/2001

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09/700296



Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

IAH

U.S. APPLICATION NO. 09/700,296
FIRST NAMED APPLICANT: SILBERSTEIN
INTERNATIONAL APPLICATION NO. PCT/US97/00365

THERESE A HENRI
WOLF GREENFIELD & SACKS
600 ATLANTIC AVENUE
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5071

COPY

INTERNATIONAL APPLICATION NO.
PCT/US97/00365

DATE MAILED: 12/14/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ non-English language.

☒ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 13 Nov 00 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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Kaya Balamore

National Stage Processor

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DOCKETED
DEC 20 2000

File Folder
ECB
Docket Entry
Docket Order
Annexes
Confirmation

DO097/7018



101 Rec'd PCT/PTO 19 JAN 2001
09/700296

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Washington, D.C. 20231

REQUEST FOR REFUND OF EXCESS FILING FEE
(37 C.F.R. §1.28(a))

Enclosed herewith for filing is a Declaration Claiming Small Entity Status (Small Business Concern) signed by an officer of Swinburne Limited on December 22, 2000. Applicant requests a refund of excess filing fee in the amount of \$519.00 (the large entity filing fee of \$1038.00 was paid on November 13, 2000). It is respectfully requested that this refund be made to our Deposit Account No. 23/2825.

Respectfully Submitted,

Therese A. Hendricks, Reg. No. 30,389
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Mailed: January 16, 2001